06-07-04



Atty. Docket No. TAK03 P-323 (F-7178)

#### CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as Express Mail, using label No. EV 411645612 US, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

June 4, 2004

Date

Deborah a. Witroof
Deborah A. Witroof

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit

1651

Examiner

Francisco C. Prats

**Applicants** 

Yoshihito Ikeda et al.

Appln. No.

10/018,770

Filing Date

December 17, 2001

Confirmation No.

2012

For

DRUG COMPOSITION CONTAINING A LECITHIN-

MODIFIED SUPEROXIDE DISMUTASE

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

# REQUEST FOR CONTINUED EXAMINATION (RCE) (37 C.F.R. §1.114)

- Applicants hereby request continued examination, in accordance with 37 C.F.R. 1. §1.114, for the above-identified application.
- 2. This request is being submitted prior to abandonment of the application, and prior to payment of issue fee.
- 3. Enclosed herewith are:

An Amendment (including attachments A-C), and

Combination Claims As Amended Cover Sheet and Petition For Extension of Time (in duplicate).

(Request for Continued Examination (RCE) (37 C.F.R. §1.114) [9-64]—page 1 of 2)

**Applicants** 

Yoshihito Ikeda et al.

Appln. No. :

10/018,770

Page

2

## TOTAL FEE(S) DUE

The total fee due is: 4.

Continued Prosecution Fee (§ 1.17(e))	\$ <u>385.00</u>
Fee(s) for additional claims (if any) (§ 1.16(b)-(d))	\$ <u>0.00</u>
Extension of time fee (if any) (§ 1.17(a)(1)-(4))	\$ <u>420.00</u>
	400 = 00

Total Fee Due

\$805.00

## PAYMENT OF FEE(S) DUE

- A check is attached in the amount of \$805.00 for the filing fee for this Request For 5. Continued Examination (RCE).
- Please charge any required additional fee(s) for §1.17(e), §1.16(b)-(d) and/or 6. §1.17(a)(10-(4) to Deposit Account No. 16-2463.

Customer No.: 000,277.

Respectfully submitted,

YOSHIHITO IKEDA ET AL.

By:

Price, Heneveld, Cooper,

DeWitt & Litton, LLP

June 4, 2004

Date

Registration No. 35 502

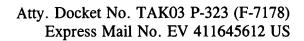
695 Kenmoor, S.E. Post Office Box 2567

Grand Rapids, Michigan 49501

(616) 949-9610

GJE/daw

TAK03 P-323





### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit

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Examiner Applicants

Francisco C. Prats Yoshihito Ikeda et al.

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DRUG COMPOSITION CONTAINING A LECITHIN-

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Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Enclosed is an Amendment in response to the Advisory Action mailed April 2, 2004.

X Applicants hereby petition for a three (3) month extension of time to respond to the above Office Action. An extension for (1) one month has already been secured and the fee paid therefor of \$55.00 is deducted from the total fee due for the total months of extension now requested. The fee of \$420.00 for the Extension is enclosed.

Any fee for additional claims has been calculated as shown below:

#### CLAIMS AS AMENDED

			LAIMS AS A				<del></del>	
	Col. 1		Col. 2	Col. 3	Small	Entity	Other Than A Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total Claims	* 11	Minus	** 20	=0	x \$9	\$0	X \$ 18	\$
Independent Claims	* 2	Minus	*** 3	= 0	x \$43	\$0	X \$ 86	\$
First Presentation of Multiple Dependent Claims \$145					\$0	X \$290	\$	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0		\$	

Applic Appln. Page									
X	Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted or is enclosed.								
	No additional fee is required.								
	A fee of to cover the cost of the additional claims added by this responsis enclosed.	se							
<u>X</u>	A fee of \$420 to cover Petition for Extension of Time is enclosed.								
<u>X</u>	A check in the amount of \$420 is enclosed to cover the above fee.								
<u>X</u>	Please charge any additional fees or credit overpayment to Deposit Account 16 2463. A duplicate copy of this sheet is attached.								
	PRICE, HENEVELD, COOPER, DEWITT & LITTON, LLP								
June 4 Date	Gunther J. Evanina Registration No. 35 5022 695 Kenmoor, S.E. Post Office Box 2567 Grand Rapids, Michigan 49501 (616) 949-9610								

GJE/daw



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Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

#### **AMENDMENT**

In response to the Advisory Action mailed April 2, 2004, and further to the Request For Continued Examination filed herewith, Applicants request further consideration and examination in view of the following amendments and remarks.

Please amend the above-identified application as follows:

Amendments To The Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

Attachments: Document A (*The Journal of Pharmacology and Experimental Therapeutics*, Vol. 262, No. 3, (1992) (pp. 1214-1219); Document B (*The Journal of Pharmacology and Experimental Therapeutics*, Vol. 271, No. 3, (1994) (pp. 1672-1677); and Document C: *Toxicology and Applied Pharmacology* 194 (2004) (pp. 180-188) are attached after page 9 of this paper.

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